

JFM: USAO#2012R00

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

2012 DEC 10 P 3:12

UNITED STATES OF AMERICA

v.

TRI TRAN

Defendant

\* CLERK'S OFFICE  
\* CRIMINAL NO. JK 3:12-CR-0638  
\* BY DEPUTY  
\* (Mail Fraud, 18 U.S.C. § 1341; Aiding  
\* and Abetting, 18 U.S.C. § 2)  
\*

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INFORMATION

COUNT ONE

The United States Attorney for the District of Maryland charges that:

Introduction

At all times relevant to this Information:

1. Defendant TRI TRAN was a native of Vietnam and a resident of Baltimore, Maryland.
2. Mastercard, America Express and Visa are financial institutions, the deposits of which are insured by the Federal Deposit Insurance Corporation (FDIC), and do business worldwide. Each of these financial institutions (referred to herein as "victim financial institutions") issue credit cards for use by their respective customers.
3. Credit cards are used by individuals to make retail transactions. Credit cards are access devices issued for the benefit of the cardholder and are tied to a specific account. The access device contains stored data on a magnetic strip which is often located on the back of the access device. This stored data can include the account number to which the access device corresponds.

4. Credit card skimming devices ("credit card skimmers") are devices which are capable of reading and capturing the data that is stored on the magnetic strip of an credit card. After capturing the credit card data, the account numbers are "downloaded" and transferred to other plastic cards containing magnetic strips ("counterfeit access devices"). The counterfeit access devices can then be used to make purchases at victim retail businesses.

**The Scheme to Defraud**

5. Beginning in 2009 and continuing until on or about February 28, 2011, in the District of Maryland, the Central District of California, and elsewhere, the defendant,

**TRI TRAN,**

knowingly and willfully devised and intended to devise a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises ("the scheme to defraud") from the victim financial institutions and other victim retail businesses.

**Object of the Scheme to Defraud**

6. It was the object of the scheme to defraud that defendant **TRI TRAN** would receive credit card information obtained by means of skimming devices at a retail location where he worked where he would capture the credit card data on the skimming device, then mail them to Nghia Nguyen to download and transfer the credit card account information to other plastic cards containing magnetic strips, thereby creating counterfeit access devices which were then used to make purchases at retailers.

**Manner and Means**

7. It was part of the scheme to defraud that Nghia Nguyen provided **TRI TRAN**

with credit card skimming devices for the purpose of capturing credit card account information.

8. It was further part of the scheme to defraud that **TRI TRAN** would utilize the credit card skimming devices provided by Nghia Nguyen to capture credit card account information.

9. It was further part of the scheme to defraud that **TRI TRAN** would mail the credit card skimming devices with the unlawfully obtained information stored on the credit card skimming devices to Nghia Nguyen in Santa Ana, California.

10. It was further part of the scheme to defraud that Nghia Nguyen would capture the credit card data, download and transfer the information to other plastic cards containing magnetic strips, thereby creating counterfeit access devices.

11. It was further part of the scheme to defraud that Nghia Nguyen would then retain some of the counterfeit access devices and would mail the remaining counterfeit access devices back to **TRI TRAN**.

12. It was further part of the scheme to defraud that the defendant, **TRI TRAN**, and Nghia Nguyen would then make purchases at various retailers using the counterfeit access devices.

#### The Charge

13. Beginning in 2009 and continuing until on or about February 28, 2011, in the District of Maryland, the Central District of California, and elsewhere, the defendant,

**TRI TRAN**,

for the purpose of executing and attempting to execute the scheme to defraud, did knowingly receive and send any mail matter to be sent and delivered by the Postal Service, that is, he received and sent

envelopes containing a credit card skimming device(s) with information of various credit card, mailed from Baltimore, Maryland, to Santa Ana, California.

18 U.S.C. § 1341

18 U.S.C. § 2

A handwritten signature in black ink that reads "Rod J. Rosenstein". To the right of the signature, there is a small circle containing the letters "JRW".

Rod J. Rosenstein 

Rod J. Rosenstein  
United States Attorney

Date: December 10, 2012